

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SAFETY INSURANCE COMPANY)	
)	CIVIL ACTION NO. 05-10181-RWZ
Plaintiff)	
)	
v.)	
)	
UNITED STATES OF AMERICA)	
)	
Defendant)	
)	

JOINT RULE 16.1 STATEMENT AND CERTIFICATE

The parties in this action submit the following Joint Statement pursuant to Local Rule 16.1 and the Court's Notice of Scheduling Conference.

1. **Proposed Discovery Plan:**

- a. Automatic disclosure statements and discovery shall be served on or before May 30, 2005;
- b. All interrogatories and request for production of documents shall be served by July 30, 2005;
- c. Any amendments pursuant to Fed. R. Civ. P. 15 shall be made by November 30, 2005;
- d. All depositions shall be completed by October 30, 2005;
- e. A final pretrial conference shall be scheduled after disposition of all dispositive motions.

2. **Consent To Trial By Magistrate:**

- a. The parties consent to a trial by magistrate judge.

3. **Depositions:**

- a. The plaintiff intends to depose: Stephen M. D'Amour; AFOSI Detachment 102, 6 Chennault Street, Building 171, Hanscom AFB, MA 01731.
- b. Defendant intends to depose: William T. Fuller, 1470 Eastern Avenue, Malden, MA 02148 and Erik Smith, 34 West Selden, Mattapan, MA 02126-2406.

4. **Proposed Schedule for Motions:**

All dispositive motions are to be filed by November 30, 2005.

5. **Designation of Experts:**

- a. Expert witnesses shall be identified by the parties by July 30, 2005.
- b. If necessary, expert interrogatories shall be served within one month following the opposing party's disclosure of expert witnesses.

6. **Final PreTrial Conference:**

- a. The Final Pretrial Conference will be scheduled by the Court following any and all hearings on dispositive motions.

7. **Plaintiff's Settlement Proposal:**

- a. The plaintiff will present a written settlement proposal on or before May 7, 2005.

8. **Certification Regarding Costs and Alternative Dispute Resolution:**

- a. Each of the parties and their respective counsel certify they have conferred regarding the costs of conducting the full course-and various alternative courses-of litigation; and

b. Discussed the possibility of resolving the case through alternative dispute resolution programs such as those outlined in Local Rule 16.4.

By Its Attorney

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Respectfully submitted,
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